

DEC 10 2005

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
99-025

In Re Application No. ~~10/642,865~~ PACKES, Jr. et al.

DEC 20 2005

Application No. 09/505,361	Filing Date February 16, 2000	Examiner Jeffrey D. Carlson	Customer No. 22927	Group Art Unit 3622	Confirmation No. 6202
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Title: METHOD AND SYSTEM FOR PROCESSING A REBATE

COMMISSIONER FOR PATENTS:

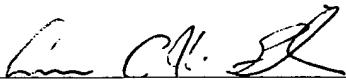
Transmitted herewith is:

Transmittal of Issue Fee Payment (1 pg.) (x2);
Part B Issue Fee Transmittal (PTOL-85) (1 pg.) (x2);
Comments on Statement of Reasons for Allowance (3 pp.); and
Return Receipt Postcard.

in the above identified application.

No additional fee is required.
 A check in the amount of _____ is attached.
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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

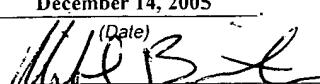
Dated: December 14, 2005

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CUSTOMER NO. 22927

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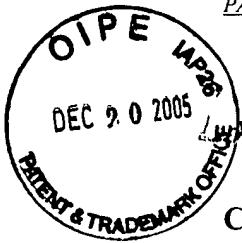
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on December 14, 2005


(Date)

Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence



PATENT

Application Serial No. 09/505,361
Attorney Docket No. 99-025

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSTOMER NO. 22927

Applicants: Packes, Jr. et al.
Application No.: 09/505,361
Filed: February 16, 2000
Title: METHOD AND SYSTEM FOR PROCESSING A REBATE

Attorney Docket No.: 99-025

Group Art Unit: 3622
Examiner: Jeffery D. Carlson

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE
provided in the Notice of Allowability mailed September 21, 2005

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

In response to the Notice of Allowability (and accompanying Examiner's Statement of Reasons for Allowance) mailed September 21, 2005, please consider the following remarks.



REMARKS

I. Comments on Statement of Reasons for Allowance

Applicants gratefully acknowledge the Examiner's allowance of claims 1-28, 34-43, and 47-54. Regarding the Examiner's statement of reasons for allowance of claims 1-28, 34-43, and 47-54 (Notice of Allowability, Paper No. / Mail Date 2005050, pg. 3)

Applicants respectfully note the following:

The Examiner states that "Moore teaches honoring a manufacturer rebate at the POS which is effectively taken as a 1st manufacturer rebate and a 2nd POS rebate, but provides no teaching or motivation for the pricing of the alternative rebates to differ which is present in all claims." *Id.*, at pg. 3 to pg. 4.

As stated in the latest response submitted by Applicants (Response to the Office Action mailed October 8, 2004): "Although Applicants respectfully disagree with the Examiner's interpretations of the references for the reasons stated in the response to the previous Office Action, Applicants have amended each of the pending independent claims to further distinguish over the references. Applicants have amended the claims solely to expedite allowance of the pending claims and to claim particular embodiments of the present invention. Applicants reserve the right to pursue the subject matter of the claims as pending prior to the amendments made herein in a continuing application."

In particular, Applicants reiterate herein that Moore fails to teach or suggest first ("1st") and second ("2nd") rebates as recited in the claims prior to amendment (*i.e.*, regardless of whether the values associated with the two rebates differ, as currently recited). Nowhere, for example, does Moore describe providing a rebate in addition to and/or instead of the manufacturer rebate. Instead, Moore simply facilitates the redemption of the single manufacturer rebate. Nor is it clear or apparent that such facilitation in Moore is even accomplished at or near the Point-of-Sale (POS).

Accordingly, the claims as allowed distinguish over Moore for reasons in addition to those pointed out by the Examiner.

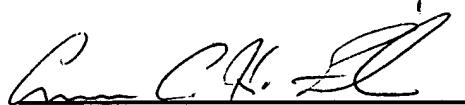

II. Conclusion

It is submitted that all of the pending claims are allowed. Issuance of the present application is respectfully requested.

Please charge any fees that may be required for this Paper to Deposit Account No. 50-0271. Furthermore, should an extension of time be required, please grant any extension of time which may be required to make this Paper timely, and please charge any fee for such an extension to Deposit Account No. 50-0271.

Alternatively, if there remain any questions regarding the present application the Examiner is cordially requested to contact Carson C.K. Fincham at telephone number 203-461-7017 or via electronic mail at cfincham@walkerdigital.com, at the Examiner's convenience.

Respectfully submitted,


December 14, 2005
Date

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